

HOLD HARMLESS AFFIDAVIT AND VAIRANCE REQUEST
FOR SWIMMING POOL CONSTRUCTION

_____ (include marital status)
affiant(s) and owner(s) of real estate described as Lot _____ in _____
_____ (Subdivision) Bernalillo County, New Mexico
and may be confirmed by the document filed for public record in Bernalillo County, New Mexico on the ____ day of _____, 20____ under document number _____ hereby request a variance from the Bernalillo County Storm Drainage Ordinance No. 96-5 and the Albuquerque Metropolitan Arroyo Flood Control Authority (AMAFCA) Drainage Policy (Resolutions 1980-15 and 1901-8) for release of the Building Permit for swimming pool construction on the above referenced property. The undersigned owner agrees to save Bernalillo County and AMAFCA, and their agents (the agencies) harmless from any and all liability arising form the Agencies release of the Building Permit without benefit of a drainage and grading plan.

The Owner fully understands that there maybe flood hazards in the area of this lot, even though a brief review may have been made by Bernalillo County or AMAFCA staff or their Agents to determine if known flood hazards exist. The Agencies strongly recommend that the property owner obtain an updated drainage plan for the property, even though there may be no legal requirement to provide such a plan.

The Owner fully understands that a grant of variance by Bernalillo County and AMAFCA does not include any provision to construct in an existing floodplain or drainage easement, or in a 100 year flood zone as shown on an existing National Flood Insurance Program Map. The Owner hereby states that no drainage damage to adjacent property will be created by the proposed swimming pool construction.

The agreements and obligations of the Affidavit of the Owner as set forth herein shall be binding on the Owner, his heirs, assigns and successors and on the Owner's property and constitute covenants running with Owner's property until released by the Agencies as shall be evidenced by a document filed for public record.

Witness _____ (our/my) hand (s) and seal (s) this _____ day of _____, 20____.
Owner (s):

Owner

STATE OF NEW MEXICO

COUNTY OF BERNALILLO

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME

THIS _____ DAY OF _____, 20____ BY _____
_____ (Include Marital Status)

My Commission expires: _____ Notary Public: _____